

REMARKS

Claims 1, 2, 3, 5 to 13, 15 to 26, 28 to 36, 38 to 45, 47 to 55, and 57 to 106 are pending in the application. Claims 62 to 106 are new. Claims 1, 10, 20, 24, 33, 43, 52, 73, 79, 84, 90, 95, 101, and 106 are independent. Favorable reconsideration and further examination are respectfully requested.

Initially, Applicant would like to thank the Examiner for taking the time, on June 30, 2004, to discuss this application with Applicant and his representatives, and for courtesies extended during subsequent discussions with the undersigned. Although no agreement was reached with respect to allowability of the claims, Applicant has amended the claims along the lines discussed with the Examiner. It is believed that the claims, as amended, define more clearly define over the art, as explained in more detail below.

In this regard, original claims 1 to 61 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,370,582 (Lim); and claims 5, 12, 28, 35, 47 and 54 were rejected under §103 over Lim in view of U.S. Patent No. 6,282,454 (Papadopoulos). As explained above, Applicant has amended the claims to define them more clearly. In view of these clarifications, withdrawal of the art rejections is respectfully requested.

Amended independent claim 1 defines a method performed by a controller that monitors and/or controls an apparatus. The method comprises initiating communication with a server by sending a message to the server. The message comprises a hypertext transfer protocol (HTTP) message that contains information that distinguishes the apparatus from other apparatuses. The method also includes receiving, from the server and in response to the message, data that is

specific to the apparatus, and using the data to affect at least one of: a configuration of the apparatus, an operation of the apparatus, and an operation of the controller. Due to network architecture (e.g., different networks, the presence of a firewall, etc.), the server cannot initiate communication to the controller to send the data to the controller.

The applied art is not understood to disclose or to suggest the foregoing features of claim

1. In this regard, Lim describes a system for providing cross-platform remote control and monitoring of a facility access controller. Referring to Fig. 1 of Lim, a Web based network controller 24 provides information to terminal control units TCUs, which use that information to control various output access control devices. As described in Lim, the TCUs do not relay information to the Web based controller (see, e.g., column 6, lines 19 et seq. of Lim). Instead, Web based network controller 24 retrieves and updates information in the TCUs (see, e.g., column 6, lines 56 et seq. of Lim, and column 10, lines 48 et seq. of Lim). A workstation 26, with access to the Internet, can remotely control Web based network controller 24, as described, e.g., in column 5, lines 19 et seq. of Lim. For example, the workstation can provide updated parameters that the Web based network controller passes on to the TCUs.

Thus, Lim's system depends on workstation 26 being able to initiate communication to Web based network controller 26, and on Web based network controller 26 being able to imitate communications to the TCUs. If a server (e.g., the Web based network controller) could not initiate communications, the Lim system would not work. Accordingly, Lim is not understood to disclose or to suggest, as in claim 1, that due to network architecture, a server cannot initiate communication to a controller to send the data to the controller.

Furthermore, as described above, in Lim, the TCUs do not initiate communication with a server (e.g., the Web based controller). Rather, it is up to the Web based controller to initiate communications to the TCUs. As such, Lim is also not understood to disclose or to suggest initiating communication with a server by sending a message to the server, much less that the message contains information that distinguishes the apparatus from other apparatuses, or that the message comprises a hypertext transfer protocol (HTTP) message.

For at least the foregoing reasons, claim 1 is believed to be patentable over Lim. Papadopoulos, which was cited for its alleged disclosure of parsing operations from a list, is not understood to add anything that would remedy the foregoing deficiencies of Lim vis-à-vis claim 1. Accordingly, claim 1 is believed to be allowable.

Amended independent claims 20, 24 and 43 contain limitations similar to those discussed above with respect to claim 1. These claims are also believed to be allowable for at least the same reasons noted above with respect to claim 1.

Amended independent claim 10 defines a method performed by a server for sending data over a network to a controller that monitors and/or controls an apparatus. The method comprises receiving a message from the controller, the message comprises a hypertext transfer protocol (HTTP) message, identifying the apparatus from information in the message, the information distinguishing the apparatus from other apparatuses, retrieving data that is specific to the apparatus, and sending the data from the server to the controller. The data affects at least one of: a configuration of the apparatus, an operation of the apparatus, and an operation of the controller. Due to network architecture, the server cannot initiate communication to the controller to send the data to the controller.

The applied art is not understood to disclose or to suggest the foregoing features of claim 10. For example, as explained above, the art is not understood to disclose or to suggest that due to network architecture, the server cannot initiate communication to the controller to send data to the controller. The art is also not understood to disclose or to suggest the combination of identifying an apparatus from information in a message, where the information distinguishes the apparatus from other like apparatuses, retrieving data that is specific to the apparatus, and sending the data from the server to the controller. For at least these reasons, claim 10 is believed to be allowable.

Amended independent claims 33 and 52 contain limitations similar to those discussed above with respect to claim 10. These claims are also believed to be allowable for at least the same reasons noted above with respect to claim 10.

Applicant also presents new independent claims 73, 79, 84, 90, 95, 101, and 106.

New independent claims 73, 84, 95 and 106 include, *inter alia*, a controller polling a server for messages, wherein polling comprises initiating communication with a server by sending a first message to the server, the first message identifying an apparatus; the controller receiving a reply message from the server in response to the first message, the reply message identifying a parameter associated with the apparatus; and the controller sending a second message to the server in response to the reply message, the second message containing the parameter identified in the reply message; wherein the server cannot initiate communication to the controller because the server cannot resolve a network address of the controller.

Nowhere does the art disclose or suggest polling a server in the manner set forth above, much less sending such messages back-and-forth between a controller and a server. The art also

does not disclose or suggest that the server cannot initiate communication to the controller because the server cannot resolve a network address of the controller. Accordingly, claims 73, 84, 95 and 106 are believed to be allowable.

New independent claims 79, 90 and 101 include, *inter alia*, a server receiving a first message from a controller, the first message for initiating communication with the server, the first message identifying an apparatus; the server sending a reply message to the controller in response to the first message, the reply message identifying a parameter associated with the apparatus; and the server receiving a second message from the controller in response to the reply message, the second message containing the parameter identified in the reply message; wherein the server cannot initiate communication to the controller because the server cannot resolve a network address of the controller.

Nowhere does the art disclose or suggest sending messages back-and-forth between a controller and a server in the manner described above, much less that the server cannot initiate communication to the controller because the server cannot resolve a network address of the controller. Accordingly, claims 79, 90 and 101 are believed to be allowable.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been addressed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or

other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

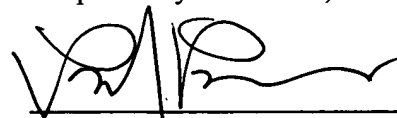
An erroneous notice of abandonment was issued in this case. Applicant filed the enclosed Petition to have that erroneous notice of abandonment withdrawn.

Applicant's undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Enclosed are checks covering the additional claims fees and the two-month extension fee. If any additional fees are due including, but not limited to, claims fees and extension fees, please charge them to deposit account 06-1050, referencing Attorney Docket No. 11333-011001.

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Respectfully submitted,



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